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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**[A-570-941]**

**Certain Kitchen Appliance Shelving and Racks from the People's Republic of China: Final Results of the Expedited Second Sunset Review of the Antidumping Duty Order**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce (Commerce) finds that revocation of the antidumping duty order on certain kitchen appliance shelving and racks from the People's Republic of China (China) would be likely to lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Sunset Review" section of this notice.

**DATES:** Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** Rachel Greenberg, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0652.

**SUPPLEMENTARY INFORMATION:**

Background

On September 14, 2009, the Department of Commerce (Commerce) published the

antidumping duty order on certain kitchen appliance shelving and racks from China.<sup>1</sup> On February 3, 2020, Commerce initiated the second sunset review of the *Order* pursuant to 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> Commerce received a notice of intent to participate from domestic interested parties, Nashville Wire Products, Inc. (Nashville Wire) and SSW Holding Company, LLC (SSW), within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>3</sup> Both Nashville Wire and SSW claimed interested party status under section 771(9)(C) of the Act as producers of the domestic like product. On March 4, 2020, Commerce received a substantive response from Nashville Wire and SSW within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> Commerce received no substantive responses from respondent interested parties, nor was a hearing requested. On March 24, 2020, Commerce notified the U.S. International Trade Commission (ITC) that it did not receive an adequate substantive response from respondent interested parties.<sup>5</sup> As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the *Order*.

### Scope of the *Order*

The product covered by the *Order* consists of shelving and racks for refrigerators, freezers, combined refrigerator-freezers, other refrigerating or freezing equipment, cooking stoves, ranges, and ovens (“certain kitchen appliance shelving and racks” or “the merchandise under order”). Certain kitchen appliance shelving and racks are defined as shelving, baskets,

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<sup>1</sup> See *Certain Kitchen Appliance Shelving and Racks from the People’s Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Notice of Antidumping Duty Order*, 74 FR 46971 (September 14, 2009) (*Order*).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 85 FR 5940 (February 3, 2020).

<sup>3</sup> See Nashville Wire’s and SSW’s Letter, “Kitchen Appliance Shelving and Racks from the People’s Republic of China – Domestic Interested Parties’ Notice of Intent to Participate,” dated February 14, 2020.

<sup>4</sup> See Nashville Wire’s and SSW’s Letter, “Certain Kitchen Appliance Shelving and Racks from the People’s Republic of China – Domestic Interested Parties’ Substantive Response,” dated March 4, 2020.

<sup>5</sup> See Commerce’s Letter, “Sunset Reviews Initiated on February 3, 2020,” dated March 24, 2020.

racks (with or without extension slides, which are carbon or stainless steel hardware devices that are connected to shelving, baskets, or racks to enable sliding), side racks (which are welded wire support structures for oven racks that attach to the interior walls of an oven cavity that does not include support ribs as a design feature), and subframes (which are welded wire support structures that interface with formed support ribs inside an oven cavity to support oven rack assemblies utilizing extension slides) with the following dimensions:

- shelving and racks with dimensions: ranging from 3 inches by 5 inches by 0.10 inch to 28 inches by 34 inches by 6 inches; or
- baskets with dimensions ranging from 2 inches by 4 inches by 3 inches to 28 inches by 34 inches by 16 inches; or
- side racks from 6 inches by 8 inches by 0.1 inch to 16 inches by 30 inches by 4 inches; or
- subframes from 6 inches by 10 inches by 0.1 inch to 28 inches by 34 inches by 6 inches.

The merchandise under order is comprised of carbon or stainless steel wire ranging in thickness from 0.050 inch to 0.500 inch and may include sheet metal of either carbon or stainless steel ranging in thickness from 0.020 inch to 0.2 inch. The merchandise under order may be coated or uncoated and may be formed and/or welded. Excluded from the scope of this order is shelving in which the support surface is glass.

The merchandise subject to this order is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) statistical reporting numbers 8418.99.8050, 8418.99.8060, 7321.90.5000, 7321.90.6090, 8516.90.8000, 8516.90.8010, 7321.90.6040, 8514.90.4000 and 8419.90.9520. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

### Analysis of Commerce Received

All issues raised in this review, including the likelihood of continuation or recurrence of dumping in the event of revocation and the magnitude of the margins likely to prevail if the order were revoked, are addressed in the accompanying Issues and Decision Memorandum. A list of topics discussed in the Issues and Decision Memorandum is included as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

### Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the antidumping duty order on certain kitchen appliance shelving and racks from China would likely lead to continuation or recurrence of dumping and that the magnitude of the margins is up to 95.99 percent.<sup>6</sup>

### Administrative Protective Order (APO)

This notice serves as the only reminder to interested parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of

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<sup>6</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Expedited Second Sunset Review of the Antidumping Duty Order on Certain Kitchen Appliance Shelving and Racks from the People's Republic of China," dated concurrently with this notice.

APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

Notification to Interested Parties

We are issuing and publishing these final results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: June 1, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary*

*for Enforcement and Compliance.*

## **Appendix**

### **List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
  - II. Background
  - III. Scope of the Order
  - IV. History of the Order
  - V. Legal Framework
  - VI. Discussion of the Issues
    - 1. Likelihood of Continuation or Recurrence of Dumping
    - 2. Magnitude of the Margins Likely to Prevail
  - VII. Final Results of Sunset Review
  - VIII. Recommendation
- [FR Doc. 2020-12262 Filed: 6/5/2020 8:45 am; Publication Date: 6/8/2020]